

# **EXHIBIT 2**

Declaration of  
Jakob Carnemark

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

SWITCH, LTD.,  
a Nevada limited liability company,

Plaintiff,

vs.

STEPHEN FAIRFAX; MTECHNOLOGY, INC.;  
DOES 1 through 10; and ROE ENTITIES 11  
through 20, inclusive,

Defendants.

Case No.: 2:17-cv-2651-GMN-VCF

**DECLARATION OF JAKOB  
CARNEMARK IN SUPPORT OF  
DEFENDANTS' OPPOSITION TO  
MOTION FOR PRELIMINARY  
INJUNCTION**

I, JAKOB CARNEMARK, declare:

1. I am over 18 years of age and have never been convicted of a crime involving fraud or dishonesty. I have first-hand knowledge of the facts set forth herein, and if called as a witness could and would testify competently thereto.

2. I am the Founder, Chief Technology Officer, and Vice Chairman of Aligned Energy Holdings, LP and all subsidiaries, including Aligned Data Centers LLC (collectively, "Aligned").

3. I make this declaration on behalf of Aligned.

4. Aligned designs, develops, operates and maintains data centers.

5. An Aligned entity filed a number of patents in 2012 related to its proprietary refrigerant-based mechanical cooling solution.

6. In August 2013, an Aligned entity retained Defendant MTechnology, Inc. ("MTech") to perform a fault tree risk analysis on, and calculate the reliability of, its existing mechanical cooling technology.

7. In 2015, Aligned began designing and developing data centers in Plano, Texas and Phoenix, Arizona deploying Aligned's proprietary mechanical and electrical designs and products.

8. In October 2015, MTech was retained to calculate the reliability of the electrical design of Aligned's data centers.

9. At no point has MTech or Defendant Stephen Fairfax ever designed or assisted in the conception of the design of Aligned's data centers. MTech's and Fairfax's assistance has been with respect to evaluating Aligned's existing designs from a reliability perspective.

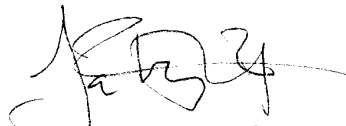
10. Aligned has informed Plaintiff Switch, Ltd. ("Switch") that neither MTech nor Mr. Fairfax have ever designed or assisted in the design of Aligned's data centers.

11. At no point has MTech or Mr. Fairfax ever disclosed any information to Aligned that Aligned thought or understood to be confidential, proprietary, or trade secret information of Switch.

12. Aligned has informed Switch that neither MTech nor Mr. Fairfax have ever disclosed any information to Aligned that Aligned thought or understood to be confidential, proprietary, or trade secret information of Switch.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on: November 22, 2017



Jakob Carnemark